

October 9, 2003

ENERGY & ENVIRONMENT
COMMITTEE
REPORT NO. 13

ALL MEMBERS PRESENT EXCEPT LEGISLATORS RANZENHOFER AND DUSZA.

1. RESOLVED, that the following item is hereby received and filed.

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| | Item | Page | -2003 | (Comm. 11M-6) |
| a. | NYSDEC: Fact Sheet – 4 th Street Inactive Hazardous Waste Disposal Site. | | | |
| | (3-0) Legislators Ranzenhofer and Dusza absent. | | | |

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|----|---------------------|------|-------|---------------|
| 2. | Item | Page | -2003 | (Intro. 16-1) |
| | CHASE, ET AL | | | |

WHEREAS, mercury in its various forms is a persistent toxin, posing risks to susceptible populations, in particular the developing fetus, children, women of child-bearing age, native populations, and plants, fish and wildlife, and

WHEREAS, the contamination of fish from methylmercury, the most toxic form of mercury, has deprived us of a valuable, nutritious, readily-available food source and is the cause of 95% of the fish advisories in the Great Lakes Basin, and

WHEREAS, the United States and Canada have participated in international and binational agreements that seek to make significant reductions and eliminate sources of mercury, and

WHEREAS, the Congress is reviewing the Clear Skies Act 2003 which initiates a cap-and-trade system for mercury emissions from coal-fired plants, and

WHEREAS, the member organizations of Great Lakes United, at its annual general meeting on June 8, 2003, adopted a policy of opposing the trading of any mercury emissions and reaffirmed its support for the virtual elimination of the human use, generation and release of mercury to the environment,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby affirm its support for Great Lakes United in opposing the trading of mercury emissions and supporting the virtual elimination of the human use, generation and release of mercury to the environment, and be it further

RESOLVED, that certified copies of this resolution be sent to President George Bush, WNY Members of US Senate and US House of Representatives, Gov. George Pataki, WNY Delegation Members, NYSDEC, Erie County Executive Joel Giambra, Erie County Department of Environment & Planning Deputy Commissioner Michael Raab and Margaret Wooster, Executive Director of Buffalo Office of Great Lakes United (BSC-Cassety Hall, 1300 Elmwood Ave., Buffalo, NY 14222) (3-0) Legislators Ranzenhofer and Dusza absent.

3. Item Page -2003 (Comm. 17E-26)

COUNTY EXECUTIVE

WHEREAS, the City of Lackawanna and Erie County agreed in 1982 to the transfer to Erie County Sewer District No.6 of the sanitary and storm sewer assets and liabilities of the City; and

WHEREAS, there are two Agreements for underground sewer pipeline crossings of CSX Railroad, previously Conrail, which were not originally transferred, but which properly should be transferred; and

WHEREAS, the City of Lackawanna has been advised by CSX Railroad that two Agreements for sewer pipes crossing railroads need to be assigned to Erie County District No. 6 and the City has asked that these Agreements be assigned; and

WHEREAS, Erie County Sewer District No. 6 is in agreement with transferring these pipeline crossing Agreements.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be, and hereby is, authorized to execute two Assignment of Agreements Numbers CR-242940 and CR-137680, subject to approval as to form by the County Attorney, with CSX Railroad for existing sewer pipes crossing under CSX Railroad's property, with a processing fee of \$650.00 each and annual payments thereafter starting at \$1,500 total and adjusted based on the Federal Consumer Price Index; and be it further

RESOLVED, that certified copies of this resolution be sent to Charles J. Alessi, P.E., Deputy Commissioner of the Department of Environment and Planning, Nancy A. Naples, County Comptroller, Gregory J. Dudek, Assistant County Attorney, and Joseph Passafiume, Director, Budget, Management and Finance.
(3-0) Legislators Ranzenhofer and Dusza absent.

DALE W. LARSON
CHAIRMAN